



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.3156 OF 2025

IN

APPLICATION FOR LEAVE TO APPEAL (PVT)(STAMP) NO.17138
OF 2025

INTERIM APPLICATION NO.3157 OF 2025

WITH

APPLICATION FOR LEAVE TO APPEAL (PVT)(STAMP) NO.17140
OF 2025

WITH

INTERIM APPLICATION NO.3158 OF 2025

IN

APPLICATION FOR LEAVE TO APPEAL (PVT)(STAMP) NO.17146
OF 2025

WITH

INTERIM APPLICATION NO.3567 OF 2025

IN

APPLICATION FOR LEAVE TO APPEAL (PVT)(STAMP) NO.19149
OF 2025

Aseem Shaban Ali Merchant

...Applicant

V/s.

Akash Choudhary and Anr.

...Respondents

Ms. Uma Nemlekar with Mr. Omar Shah i/b. Mr. Rizwan Merchant and Associates for the Applicant.

Mr. Vinit A. Kulkarni, APP for Respondent -State in ALPst/17138 and 17146/2025.

Mr. Balraj B. Kulkarni, APP for Respondent -State in ALPST/17140 & 19149/2025.

CORAM: SANDEEP V. MARNE, J.

DATED: 6 OCTOBER 2025.

P.C.:

1) Interim Application No.3567 of 2025 and Application for Leave to Appeal (stamp) No.19149 of 2025 are not board. At the request

of the learned counsel appearing for the Applicant, the same are taken on board.

2) The learned counsel appearing for the Applicant/Appellant, on instructions, seeks leave of the Court to withdraw the Applications and the Appeals with liberty to file Appeal under the Proviso to Section 372 of the Criminal Procedure Code, 1973/Section 413 of Bhartiya Nagrik Suraksha Sanhita, 2023 before the Sessions Court in view of judgment of the Apex Court in *Celestium Financial Versus. A. Gnanasekaran Etc.*¹

3) Reserving the liberty as prayed for, the Applications and Appeals are permitted to be withdrawn and disposed of.

4) If Appeal is filed before the Sessions Court within a period of four weeks, the Appellant/Applicant shall be entitled to the benefit of Section 14 of the Limitation Act, 1963.

[SANDEEP V. MARNE, J.]

¹ 2025 SCC OnLine SC 1320